

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

PHILLIP PERDUE	:	CIVIL ACTION
	:	
v.	:	
	:	
CITY OF PHILADELPHIA, et al.	:	NO. 20-3422
	:	

ORDER

AND NOW, this 22nd day of December, 2020, for the reasons set forth in the foregoing Memorandum, it is hereby ORDERED that:

1. The motion of defendants Julio A. Algarin, Corporal Baker, Corrections Officer Colbreath, and the County of Montgomery in place of the Montgomery County Department of Corrections to dismiss all of plaintiff's claims under the Eighth Amendment is GRANTED;

2. The motion to dismiss the Montgomery County Department of Corrections as a defendant is GRANTED. The County of Montgomery is substituted as a named defendant in this matter and all claims formerly pleaded against the Montgomery County Department of Corrections except for claims under the Eighth Amendment remain against the County of Montgomery;

3. The motion of defendants Julio A. Algarin, Corporal Baker, Corrections Officer Colbreath, and the County of Montgomery in place of the Montgomery County

Department of Corrections to dismiss plaintiff's complaint for failure to state a claim (Doc. #18) is otherwise DENIED; and

4. The motion of defendant GEO Secure Services, LLC to dismiss plaintiff's complaint for failure to state a claim (Doc. #32) is DENIED.

BY THE COURT:

/s/ Harvey Bartle III

J.